



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul Martin Kenney, et al. Art Unit : Unknown  
 Serial No.: 09/194,875 Examiner : Unknown  
 Filed : December 4, 1998  
 Title : ELECTRONIC DEVICE WITH A SHIELDING ENCLOSURE

Commissioner for Patents  
 Washington, D.C. 20231

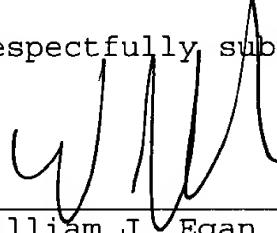
PETITION FOR FOUR-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicants hereby petition that the period for response to the action dated January 19, 2001, be extended for four months.

Enclosed is a check for \$695.00 for the required fee.  
 Please apply any other charges or credits to Deposit Account No. 06-1050.

Date: 7/19/01

Respectfully submitted,

  
 William J. Egan, III  
 Reg. No. 28,411

Fish & Richardson P.C.  
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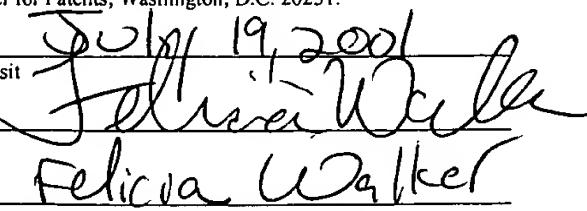
## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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PATENT  
ATTORNEY DOCKET NO. 07217/012001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul Martin Kenny, et al.  
Serial No.: 09/194,875  
Filing Date: 12/4/98  
Title : ELECTRONIC DEVICE

Art Unit: N/A  
Examiner: N/A

**VERIFIED STATEMENT OF FACTS UNDER 37 C.F.R. § 47 BY**  
**HARRY HUTCHINSON**

Commissioner for Patents  
and Trademarks  
Box DAC  
Washington, DC 20231

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JUL 24 2001  
**OFFICE OF PETITIONS**

Dear Sir:

I, Harry Hutchinson of Derbyshire, United Kingdom, do hereby declare:

1. That I am retained by Pyronix Ltd as a patent attorney to act in patent matters.

2. Mr. John Konstandelos, of Doncaster, United Kingdom, Mr. Mark Whitehead of Rotherham, United Kingdom, and Mr. Paul Martin Kenny of Worcester, United Kingdom (formerly of East Kilbridge, United Kingdom), were indicated to me as being co-inventors of the invention recited in claims 1-10 of the present application as originally filed.

3. On June 4, 1997, a PCT application, International Application No. PCT/GB97/01513 was filed. This PCT application claimed priority from a United Kingdom patent application, UK Patent Application No. GB 9611633.0, which was filed June 4, 1996. The PCT application was published as International Publication No. WO 97/47169.

4. On May 20, 1998, Mr. Paul Kenny left the employment of Pyronix Ltd, a company of which he and his former wife, Mrs. Julie A. Kenny, were

founder members. The issue of ownership and transfer of shareholdings is the subject of legal proceedings.

5. On December 4, 1998, Pyronix Ltd. entered the U.S. national phase of the International Application, PCT/GB97/01513.

6. During May, while I was on vacation, I received instructions from our US Associates, Messers. Fish & Richardson, of the need to prepare and file a further Combined Declaration and Power of Attorney.

7. During May 2001, on a day I cannot precisely recall, I telephoned Mrs. Shirley Toms, currently secretary to the Pyronix Ltd Technical Director, Mr. Craig Leivers but formerly the secretary to Mrs. Julie Kenny, the Managing Director, requesting the most recent contact details for Mr. Paul Kenny. Mrs. Shirley Toms provided the following address 37 St. Andrews Way, Bromsgrove, Worcester, B61 7NR.

8. On May 11, 2001, I prepared a revised Combined Declaration and Power of Attorney listing all co-inventors and their current addresses.

9. On May 11, 2001, I sent to Mr. Paul Kenny a registered letter enclosing the new Combined Declaration and Power of Attorney, copies of both of which are submitted herewith. The registered letter requested Mr Kenny to sign and return the Combined Declaration and Power of Attorney on or before May 19, 2001.

10. On 15, May 2001, I sent Mr. Paul Kenny a letter containing a re-dated covering letter that, but for the date, was identical to the letter of May 11, 2001. The re-dated covering letter also contained a stamped addressed envelope to enable Mr. Paul Kenny to return the signed Combined Declaration and Power of Attorney at the Applicant's expense.

11. On May 15, 2001, I attempted to telephone Mr. Paul Kenny to confirm that he had taken delivery of the registered letter dated May 11, 2001. I left a message with a telephone answering service. I also contact Ms Shirley Toms to obtain an email address for Mr. Paul Kenny. Using the email address supplied I sent an email to Mr. Paul Kenny requesting confirmation of his

telephone number and that he had received my letter of May 11, 2001. A copy of that email is attached. To date, I have not received a reply to the email.

12. On May 17, 2001, Ms Alison Kelly, secretary to our firm's formalities manager, Ms Sally Whittle, contacted the Royal Mail to determine the status of registered letter of May 11, 2001.

13. On May 24, 2001, the Royal Mail sent written confirmation that our letter of May 11, 2001 was delivered to and signed for at 37 St. Andrews Way, Bromsgrove, Worcester, B61 7NR. The signatory was Ms Szubrycht, who, is the girl-friend of Mr. Paul Kenny. A copy of that letter is submitted herewith together with proof of delivery.

14. On June 12, 2001, I noticed that the Royal Mail letter contained an error. It indicated Mr. *Pete* Kenny as being the addressee instead of Mr. *Paul* Kenny. On June 12, 2001, Ms Alison Kelly telephoned the Royal Mail and requested correction of the letter. The Royal Mail send a letter dated June 13, 2001, rectifying the correction. A copy of the Royal Mail letter is submitted herewith.

15. On June 18, 2001, Ms Alison Kelly telephoned the Royal Mail to determine whether or not my letter of May 15, 2001, had been delivered. The Royal Mail indicated that they had attempted to deliver the letter on May 16, 2001 and could not delivery it, as there was no-one to sign for the letter. The Royal Mail confirmed that they left a notice notifying Mr. Paul Kenny of the attempted delivery and that the letter was available for collection. The practice of Royal Mail is such that if a registered letter remains uncollected for a period of seven days, the registered letter is returned to the sender. A copy of the envelope and the letter of May 15, 2001 together with the enclosures, having, in accordance with Royal Mai practice, being returned to me, are submitted herewith. The date of the above-mentioned notification is clearly marked on the envelope as being May 16, 2001.

16. That, to date, I have not received any communication, written or oral, from Mr. Paul Kenny.

17. The undersigned hereby declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated 18 May 2001

Harry Hutchinson

Harry Hutchinson

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JUL 24 2001

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